



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

LHE:GK/JRS/DL
F. #2018R01401

271 Cadman Plaza East
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By Email and ECF

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Counsel for Rachel Cherwitz

Counsel for Nicole Daedone

Re: United States v. Rachel Cherwitz and Nicole Daedone
Criminal Docket No. 23-146 (DG)

Dear Counsel:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery is being produced to you pursuant to the Protective Order in the above-captioned matter, entered on June 26, 2023. ECF Dkt. No. 26. A subset of the records herein was provided by individuals whose identities will be disclosed to counsel separately.

I. **The Government's Discovery**

A. **Documents and Tangible Objects**

- Records from San Francisco State University (ONETASTE00112705 – ONETASTE00112709);

- Records from Fidelity Investments (ONETASTE00112710 – ONETASTE00119520);
- Records from Yahoo (ONETASTE00119521 – ONETASTE00119523);
- Records from the Vermont Secretary of State (ONETASTE00119524 – ONETASTE00119527);
- Records from JPMorgan Chase provided by Individual #9, whose identity will be disclosed to counsel separately (ONETASTE00119528 – ONETASTE00119759);
- Spreadsheets, customer lists, records, and training materials used by OneTaste's sales team (ONETASTE00119760 - ONETASTE00147362);
- Documents related to OneTaste refund policies and transactions (ONETASTE00147363 – ONETASTE00165919);
- Journal entries regarding experiences at OneTaste maintained by Individual #10, whose identity will be disclosed to counsel separately (ONETASTE00165920 – ONETASTE00165950);
- Search and seizure warrant affidavits (ONETASTE00165951 – ONETASTE00165997);
- A witness statement related to litigation between OneTaste and the BBC (ONETASTE00165998 – ONETASTE00166002);
- A redacted transcript of grand jury testimony provided by Individual #8 which contains some statements which may be favorable to the defendants (ONETASTE00166003 – ONETASTE00166190);
- A certificate of status from the New York Department of State (ONETASTE00166191 – ONETASTE00166192);¹
- Documents related to outside experts hired by OneTaste, provided by Individual #11, whose identity will be disclosed to counsel separately (ONETASTE00166193 – ONETASTE00166267);
- Documents related to OneTaste Bay Area, provided by Individual #12, whose identity will be disclosed to counsel separately (ONETASTE00166268 – ONETASTE00167249);

¹ This document corresponds with the records previously produced at RC00021544-RC00021577 and ND00019449 – ND00019512.

- Screenshots of a document provided by Individual #13, whose identity will be disclosed to counsel separately (ONETASTE00167250 – ONETASTE00167276);
- Documents and emails regarding payments to OneTaste and OneTaste courses and activities provided by Individual #14, whose identity will be disclosed to counsel separately (ONETASTE00167277 - ONETASTE00167324);
- Documents, emails, videos, and audio files related to OneTaste courses and activities, a subset of which contain statements of either one or both defendants, provided by Individual #15, whose identity will be disclosed to counsel separately (ONETASTE00167325 - ONETASTE00169208);²
- Journal entries regarding experiences at OneTaste written by Individual #16, whose identity will be disclosed to counsel separately (ONETASTE00169129 - ONETASTE00169206);
- Screenshots of an email provided by Individual #16 (ONETASTE00169207 - ONETASTE00169208);
- An email regarding a Netflix documentary exchanged by two individuals and provided by Individual #17, whose identity will be disclosed to counsel separately (ONETASTE00169209 - ONETASTE00169210);
- Documents regarding “OM” and Oxytocin, provided by Individual #17; (ONETASTE00169211 - ONETASTE00169216);
- Text message correspondence exchanged by members of OneTaste, provided by Individual #18, whose identity will be disclosed to counsel separately (ONETASTE00169217 - ONETASTE00169426);
- Text message correspondence exchanged by Individual #19 and Nicole Daedone, which contains statements made by Nicole Daedone, provided by Individual #19, whose identity will be disclosed to counsel separately (ONETASTE00169427);³

² ONETASTE00167545 – ONETASTE00167561, ONETASTE00167563, and ONETASTE00169124 are intentionally omitted.

³ This document is password protected, and the password will be provided to counsel separately. The government does not currently have the administrative password necessary to remove the document protection but will share an unprotected version if it becomes aware of the password.

- A document entitled “Is Nicole Daedone’s One Taste a sex cult?” provided by Individual #20, whose identity will be disclosed to counsel separately (ONETASTE00169428 – ONETASTE00169441); and
- Documents, video files, and audio files related to OneTaste business operations, courses, and other offerings, a subset of which contain statements of either one or both defendants, provided by Individual #8 (ONETASTE00169442 – ONETASTE00171685).

Please contact DupeCoop at dupecoop@mac.com and reference the above-captioned case to obtain a copy of the discovery. You may examine physical evidence discoverable under Rule 16, including original documents, by calling me to arrange a mutually convenient time.

The government renews its request for reciprocal discovery from the defendants. Please note that the defendants’ obligations under Fed. R. Crim. P. 16(b) include identification of “all non-impeachment exhibits [the defendants] intend to use in their defense at trial, whether the exhibits will be introduced through a government witness or a witness called by a Defendant.” United States v. Napout, No. 15-CR-252 (PKC), 2017 WL 6375729, at *7 (E.D.N.Y. Dec. 12, 2017); accord United States v. Smothers, No. 20-CR-213 (KAM), 2023 WL 348870, at *22 (E.D.N.Y. Jan. 20, 2023).

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact us.

Very truly yours,

BREON PEACE
United States Attorney

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Enclosures

cc: Clerk of the Court (DG) (by ECF) (without enclosures)